



# City of San Antonio

## Legislation Details (With Text)

**File #:** 17-2198

**Type:** City Code Amendments

**In control:** City Council A Session

**On agenda:** 4/12/2018

**Title:** Ordinance approving the Rules and Regulations for businesses conducting operations for the San Antonio Airport System and amending Chapter 3 of the City Code of San Antonio and clarifying rates. [Carlos Contreras, Assistant City Manager; Russell Handy, Director, Aviation]

**Sponsors:**

**Indexes:** Aviation Other

**Code sections:**

**Attachments:** 1. Adjustment to Fees Sheet, 2. Attachment I, 3. 2018 Chap 3 Rules and Regulations Proposed Revisions for Council Action, 4. Draft Ordinance, 5. Ordinance 2018-04-12-0266, 6. Staff Presentation

Date	Ver.	Action By	Action	Result
4/12/2018	1	City Council A Session	adopted	Pass

**DEPARTMENT:** Aviation

**DEPARTMENT HEAD:** Russell J. Handy

**COUNCIL DISTRICTS IMPACTED:** Citywide

**SUBJECT:**

Update to the Rules and Regulations for the San Antonio Airport System

**SUMMARY:**

An Ordinance updating the Rules and Regulations for the San Antonio Airport System and amending Chapter 3 of the City Code of San Antonio. The Rules and Regulations require periodic updates to ensure it remains current and inclusive of the best practices and standards.

**BACKGROUND INFORMATION:**

The Rules and Regulations for the San Antonio Airport System sets forth the standards that all persons, businesses, and tenants conducting operations at San Antonio International Airport and Stinson Municipal Airport must abide by and provides the Aviation Department the authority to enforce these standards. The first version was adopted by City Council in December 1984 through City Ordinance No. 59939.

The most recent comprehensive revision was approved by City Council in January 2011 through Ordinance 2011-01-20-0048. This revision included a reorganizing and rewriting of several items which had not been updated since 1997. At that meeting, the Aviation department committed to updating the document every one to two years in order to ensure the document is inclusive of new or updated regulations and best practices. City Council has since authorized revisions in January 2013 and April 2015.

The proposed substantive revisions include updates to language and policies to reflect: current compliances with new or updated regulations; new programs or services at the airport system; and other changes that restructure the guidelines for the establishment of certain fees. Other changes are minor, technical modifications updating language in the rules and regulations chapter.

## **I. New Operating Policies/Programs**

### *A. General Aviation Federal Inspection Station*

In 2017, the City and U.S. Customs and Border Protection opened the General Aviation Federal Inspection Station on the north side of the airfield. With the new location removed from the terminal, a new section titled, “Airfield Operations at the General Aviation Federal Inspection Station” (Sec. 3-73) was created to outline related policies.

### *B. Unmanned Aircraft Systems*

The growing popularity of unmanned aerial vehicles (otherwise known as drones), has required the addition of a section on the rules and policies governing the operation of drones “Unmanned Aircraft Systems or Drones” (Sec. 3-74) be added to ensure the safety of the airfield and to prevent an interruption in operations.

### *C. Soil Management*

In 2015, the San Antonio Airport System established a Soil Management Plan after the last revision of Chapter 3 in April 2015. The plan was included in the update to Sec. 3-99 “Storm Water Pollution Prevention Plan and Other Rules” and shared on the City’s website. The plan establishes practices for managing soil generated or handled by airport system projects in compliance with local, state and federal rules and regulations.

### *D. Transportation Network Companies (TNCs)*

The passage of Texas House Bill 100 in May 2017 relating to the regulations of Transportation Network Companies (TNCs), Chapter 3 required updates in order to include new definitions related to TNCs and to comply with regulations established with the new state law. Previously, regulations for TNCs was included in Chapter 33 - Vehicles For Hire. The new definitions include, “*Transportation Company, Transportation Network Company Operator and Geo-Fence.*” These are reflected in Sec. 3-17.

In addition, a new section, 3-92 “*TNC Airport Operations*” was added that provides a requirement for TNCs to provide monthly operation reports, and encourage the use of a web-hosted rideshare monitoring application to independently track the activities of TNCs conducting business in and around the San Antonio International Airport. The use of such technology also allows the Aviation Department to verify the accuracy of TNC payments to the City.

The passage of Texas HB 100 also required update to Sec. 3-180 as described in section, II. F. 3-5 on page 4 of this memo.

## **II. Update to Current Sections**

### *A. Administrative Review Fee*

Currently, airport tenants or subtenants under a lease agreement pay a processing fee to the airport for staff to review an assignment or sublease in cases where the City is the landlord. Sec. 3-188 “Administrative Review

Fee” was revised to clarify the review of subleases and subtenants separately. However, the fee assess remained the same maximum amount.

#### *B. Airport Security Identification*

Following airport best practices, the Security Division renamed and updated the definition of the *Security Identification Display Area badge* to *Airport Identification Media*, which is language consistent with use by the Transportation Security Administration (TSA).

In addition, “*Authorization for Identification*” (Sec. 3-159) was updated to require employers to return *Airport Identification Media* immediately after an employee ceases employment. The section was also updated to provide the Aviation Director with the ability to consider felony convictions, felony deferred adjudications, Class A misdemeanor convictions, Class A adjudications or a pattern of criminal behavior in the issuance of any *Airport Identification Media* in the Airport System.

#### *C. Airport Security Plan - Changes by Tenant*

In order to ensure the Security Plan for the San Antonio International Airport is compliant with the TSA, Sec. 3-142 “Changes By Tenant” and Sec. 3-146 “Construction Or Repair” were updated to require tenants to notify the Security Division at least 45 days prior to any alterations or activities by tenants that impacts the layout or physical structure(s) of the Secured Area, Sterile Area or the Air Operations Area (AOA). Some alternations may require the approval of TSA before they can begin. As part of the update to Sec. 142, tenants are required to provide legal name changes to the Security Division.

#### *D. Environmental Abatement*

Three sections related to environmental abatement were updated in the proposed revisions in order to provide clarity on procedures as well as include updated city and state policies: “Storm Water Pollution Prevention Plan and Other Rules” (Sec. 3-99); “Spill or Release Notification and Cleanup” (Sec. 3-101); and, “Aircraft Deicing” (Sec. 3-103).

#### *E. Safety Measures*

Several revisions to safety measures were included and described below.

Section 3-26 “Reflective Safety Vests” was revised to require vests, garments and clothing meet the American National Standard Institute standards, which is also a best practice among airports. The Aviation Director may approve deviations for vests, garments and clothing worn within the AOA.

Section 3-33 “Open Flame and Smoking/Vaping/E-Cigarette Restrictions” was updated to add vaping and e-cigarettes to activities that can occur in designated smoking areas on the airport campus.

Lastly, Section 3-77 “Operation of Vehicles In Public Areas” was revised to include the prohibition of stopping, standing or parking on certain streets in order to ensure pedestrian safety and enforce the signage that denotes no stopping, standing or parking of a vehicle.

#### *F. Aviation Director Authority/Rates for Transportation Operations*

The proposed revisions provide the Aviation Director was to establish rates related to airport transportation operations up to an amount within the threshold set by City Council in an effort to allow for pricing agility. The proposed rate changes include the following:

- 1. Parking Rate and Charges, Section 3-179: A new daily maximum rate of public parking rates is set for

Long-Term Parking Garage (\$16), Short-Term Parking Garage (\$29) and Economy Lots (\$10). Pricing will continue to be incremental, but with this new structure, the Aviation Director can amend the rate for hours 2 -3 in one of the parking garages, within the threshold set by Council.

- 2. Parking Rate and Charges, Section 3-179: Non-City employees will have a new monthly maximum rate for parking (\$75). City employees, who will continue to enjoy free parking in the employee parking lot, will also be able to purchase a monthly parking pass in a parking garage (\$75).
- 3. Payment of Ground Transportation Airport Operating Permits and Per Trip Fees By Class, Section 3-180: Allows for pricing agility on Ground Transportation per trip fees up to \$5 including charters, excluding TNCs as their rates are regulated by Texas House Bill 100.
- 4. Payment of Ground Transportation Airport Operating Permits and Per Trip Fees By Class, Section 3-180: Allows the Aviation Director to change the per trip fee amount for TNCs using the methodology approved in the Texas Administrative Code.
- 5. Payment of Ground Transportation Airport Operating Permits and Per Trip Fees By Class, Section 3-180: Establishes the account reinstatement fee, the fee charged when a credit card on file is declined or the account has a zero or negative balance, at a rate of up to \$15 for taxis and \$30 for other higher-capacity commercial transportation vehicles.
- 6. Security Access and Control Charges, Section 3-183: The fee assessed for employers for any unaccountable airport identification media will be set at \$150, with the Airport refunding up to \$100 if the media is returned within 30 days. Airports are penalized by the TSA for the percentage of unaccounted Airport Identification Media.
- 7. Security Access and Control Charges, Section 3-183: The fee assessed for employers for any unaccounted or damaged electronic (\$75) or standard (\$25) keys. Airports are penalized by the TSA for the percentage of unaccounted standard or electronic keys.

#### **ISSUE:**

The document requires periodic revisions to ensure to it reflects the most current federal, state and local laws and standards. The updates also allow for best practices to be incorporated into the document. This Council action amends the San Antonio Municipal Code and City Council approval is required for any amendments to document.

#### **ALTERNATIVES:**

City Council has the option to not approve the revisions; however, that option would mean the document would not be updated to industry standards.

#### **FISCAL IMPACT:**

This Ordinance will update the Rules and Regulations for the San Antonio Airport System and will amend Chapter 3 of the City Code of San Antonio. Revenues from airport activities governed by the rules and regulations ordinance will be deposited into the Airport Operations & Maintenance Fund as part of the FY 2018

Adopted Budget.

**RECOMMENDATION:**

Staff recommends the approval of revisions to the Rules and Regulations for the San Antonio Airport System.